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EXAMINER

MANCHO, RONNIE M

ART UNIT PAPER NUMBER

3663

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/762,793

Applicant(s)

YOKOTA, TATSUO

Examiner

Ronnie Mancho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-30 are rejected under 35 U.S.C. 102(b) as being unpatentable over DeLorme et al (6321158).

Regarding claim 1, DeLorme et al (abstract, figs. 1A to 1A1; Pages 4, 5, 9-22) disclose a display method for a navigation system, comprising the steps of:

examining a position of a destination and monitoring a current position of a user during a travel to the destination where the current position is away from the destination;

retrieving information on time zones and observation of daylight saving time at the current user position and the destination (page 12, item 9);

calculating an estimated time of arrival (ETA) at the destination based on a local time of the destination and observation of daylight saving time of the destination using the retrieved information (col. 6, lines 33-49; col. 18, lines 5-49); and

displaying the ETA expressed by the local time of the destination and a current time, thereby informing the user of the ETA at the destination and the current time (col. 18, lines 5-49) at the current position.

Regarding claim 2, DeLorme et al (abstract, figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, wherein said current time

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informed by the navigation system is produced based on a local time and daylight saving time in a time zone at the current user position or on a local time and daylight saving time in a time zone of a home state of the user (col. 6, lines 33-49; col. 18, lines 5-49).

Regarding claim 3, DeLorme et al (abstract, cols; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, wherein, when the destination is a POI (point of interest), said step of retrieving the information includes a step of retrieving business hour information of the destination POI (col. 9, lines 55-67; fig. 1J,).

Regarding claim 4, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, wherein, when the destination is a POI (point of interest), said step of retrieving the information includes a step of retrieving business hour information of the destination POI, and said step of informing the ETA (col. 5, lines 55-67) includes a step of displaying the business hour of the destination.

Regarding claim 5, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 4, wherein said step of retrieving business hour information of the destination POI includes a step of retrieving business hour information of other POIs in a neighborhood of the destination, and said step of informing the business hour of the destination includes a step of displaying the business hours of other POIs.

Regarding claim 6, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, further comprising:

specifying a destination POI by selecting a POI (point of interest) from a POI database of the navigation system or from a remote service provider;

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retrieving business hour information of the destination POI; and comparing the ETA at the destination POI and the business hour information and informing an estimated open/close state of the destination POI at a time of arrival at the destination.

Regarding claim 7, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, further comprising:

specifying a type or name of POIs (points of interest) in a neighborhood area of the destination from a POI database of the navigation system or from a remote service provider;

retrieving business hour information of the POIs from the POI database or from a remote service provider through a wireless communication; and comparing the ETA at the destination and the business hour information of the POIs and informing estimated open/close states of the POIs at a time of arrival at the destination.

Regarding claim 8, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, further comprising:

specifying a type of POIs (points of interest) in a neighborhood area of the destination from a POI database of the navigation system or from a remote service provider;

retrieving business hour information of the specified type of POIs from the POI database or from a remote service provider through a wireless communication; comparing the ETA at the destination and the business hour information of the POIs; and listing the specified type of POIs sorted by distance from a reference location or the destination wherein each POI in the list is accompanied by an estimated remaining business hour at a time of arrival at the destination.

Regarding claim 9, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 8, wherein the estimated

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remaining business hours of the POIs in the neighborhood area of the destination are classified and displayed by availability icons using predetermined shapes or colors.

Regarding claim 10, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, further comprising:

specifying a type of POIs (points of interest) in a neighborhood area of the destination from a POI database of the navigation system or from a remote service provider;

retrieving business hour information of the specified type of POIs from the POI database or from a remote service provider through a wireless communication;

comparing the ETA at the destination and the business hour information of the POIs; and listing the specified type of POIs in the neighborhood area of the destination sorted by degrees of remaining business hour at a time of arrival at the destination.

Regarding claim 11, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 10, wherein the degrees of remaining business hours of the POIs in the neighborhood area of the destination are classified and displayed by time length icons using predetermined shapes or colors.

Regarding claim 12, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, further comprising a step of indicating a change of time zone when the current position is at a border or near the boarder of two or more different time zones.

Regarding claim 13, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 12, wherein said step of

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indicating the time zone change includes a step of displaying the time zone change on a screen, or both displaying and voice announcing the time zone change.

Regarding claim 14, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 12, wherein said step of indicating the time zone change is conducted without regard to whether the navigation system is in a route guidance mode for guiding the user to the destination or a mode other than the route guidance mode.

Regarding claim 15, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, wherein said step of calculating the ETA includes the steps of: calculating the ETA based on a local time at the destination if the destination belongs to a time zone different from the time zone at the current user position; calculating the ETA based on a local time at the current user position if the destination belongs to the same time zone as the time zone at the current user position; and compensating the ETA for a difference of daylight saving time when the daylight saving time is applied to either the destination or the current user position.

Regarding claim 16, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system, comprising:

means for examining a position of a destination and monitoring a current position of a user during a travel to the destination where the current position is away from the destination;

means for retrieving information on time zones and observation of daylight saving time at the current user position and the destination;

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means for calculating an estimated time of arrival (ETA) at the destination based on a local time of the destination and observation of the daylight saving time of the destination using the retrieved information; and

means for displaying the ETA expressed by the local time of the destination and a current time, thereby informing the user of the ETA at the destination and the current time (col. 18, lines 5-49) at the current position.

Regarding claim 17, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, wherein said current time informed by the navigation system is produced based on a local time and daylight saving time in a time zone at the current user position or on a local time and daylight saving time in a time zone of a home state of the user.

Regarding claim 18, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, wherein, when the destination is a POI (point of interest), said means for retrieving the information includes means for retrieving business hour information of the destination POI.

Regarding claim 19, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, wherein, when the destination is a POI (point of interest), said means for retrieving the information includes means for retrieving business hour information of the destination POI, and said means for informing the ETA includes means for displaying the business hour of the destination.

Regarding claim 20, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 19, said means for

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retrieving business hour information of the destination POI includes means for retrieving business hour information of other POIs in a neighborhood of the destination, and said means for informing the business hour of the destination includes means for displaying the business hours of the other POIs.

Regarding claim 21, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, further comprising:

means for specifying a destination POI by selecting a POI (point of interest) from a POI database of the navigation system or from a remote service provider;

means for retrieving business hour information of the destination POI; and

means for comparing the ETA at the destination POI and the business hour information and informing an estimated open/close state of the destination POI at a time of arrival at the destination.

Regarding claim 22, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, further comprising:

means for specifying a type or name of POIs (points of interest) in a neighborhood area of the destination from a POI database of the navigation system or from a remote service provider;

means for retrieving business hour information of the POIs from the POI database or from the remote service provider through a wireless communication; and

means for comparing the ETA at the destination and the business hour information of the POIs and informing estimated open/close states of the POIs at a time of arrival at the destination.

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Regarding claim 23, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, further comprising:

means for specifying a type of POIs (points of interest) in a neighborhood area of the destination from a POI database of the navigation system or from a remote service provider;

means for retrieving business hour information of the specified type of POIs from the POI database or from a remote service provider through a wireless communication;

means for comparing the ETA at the destination and the business hour information of the POIs; and means for listing the specified type of POIs sorted by distance from a reference location or the destination wherein each POI in the list is accompanied by an estimated remaining business hour at a time of arrival at the destination.

Regarding claim 24, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 23, wherein the estimated remaining business hours of the POIs in the neighborhood area of the destination are classified and displayed by availability icons using predetermined shapes or colors.

Regarding claim 25, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, further comprising:

means for specifying a type of POIs (points of interest) in a neighborhood area of the destination from a POI database of the navigation system or from a remote service provider;

means for retrieving business hour information of the specified type of POIs from the POI database or from a remote service provider through a wireless communication; means for comparing the ETA at the destination and the business hour information of the POIs; and

means for listing the specified type of POIs in the neighborhood area of the destination sorted by degrees of remaining business hour at a time of arrival at the destination.

Regarding claim 26, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 25, wherein the degrees of remaining business hours of the POIs in the neighborhood area of the destination are classified and displayed by time length icons using predetermined shapes or colors.

Regarding claim 27, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, further comprising means for indicating a change of time zone when the current position is at a border or near the boarder of two or more different time zones.

Regarding claim 28, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 27, wherein said means for indicating the time zone change includes means for displaying the time zone change on a screen, or both displaying and voice announcing the time zone change.

Regarding claim 29, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 27, wherein said means for indicating the time zone change is conducted without regard to whether the navigation system is in a route guidance mode for guiding the user to the destination or a mode other than the route guidance mode.

Regarding claim 30, DeLorme et al (abstract, cols; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, wherein said step of calculating the ETA includes (col. 5, lines 55-67):

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means for calculating the ETA based on a local time at the destination if the destination belongs to a time zone different from the time zone at the current user position (col. 18);

means for calculating the ETA based on a local time at the current user position if the destination belongs to the same time zone as the time zone at the current user position (col. 18);

and

means for compensating the ETA for a difference of daylight saving time when the daylight saving time is applied to either the destination or the current user position (col. 18).

Response to Arguments

3. Applicant's arguments filed 1/29/07 have been fully considered but they are not persuasive.

The applicant argues that the prior art DeLorme does not disclose "the daylight saving time or the local time at the destination and the current position. The argument is traversed. Delorme disclose local time and daylight savings time *anywhere the user of the navigation system is located*. The user in the prior art taps the DST option of the system and if daylight saving time is available *at the location* of the user and the second line displays an offset of the time zone of the user. Meaning that if the user is at a destination or at a position different from the destination and taps the DST option, the prior art system will display the time offset or daylight saving time to the user at the destination, (col. 8, lines 35-49). It seems as if the applicant is arguing the time zone of a current location is retrieved and at the same time the time zone of a destination is retrieved when the user is away from the destination. On the other hand, the claim language does not recite that --the time zone of a current location is retrieved and at the

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same time the time zone of a destination is retrieved when the user is away from the destination--

If at all this was the claim limitation, the prior art DeLorme still reads on it. It should be also pointed out that the claims do not indicate that the time at the different time zones is different, as applicant seems to be arguing.

The applicant further argues that Delorme does not disclose estimated time of arrival (ETA) based on local time. The argument is traversed. Delorme (col. 5, lines 56-62; col. 14, lines 24-27; col. 27, lines 64-67, etc) disclose ETA. The applicant is encouraged to read the whole disclosure of the prior art instead of just sections of it.

Applicant's admits that the prior art discloses daylight savings time. Applicant also admits that the prior art shows GMT, which GMT is the time at the prime meridian. If the user's destination is the prime meridian, then the user shows the local time at the prime meridian. As admitted by the applicant, the user also shows local time or day light savings time at the current location including GMT, the time at a destination, the prime meridian, latitude Zero degrees. Therefore, the prior art reads over the claims.

Applicant's argument that the examiner ignores "estimated" is out of place after the examiner had pointed out that the prior art discloses "ETA", wherein the "E" stands for estimated.

The applicant further argues that it is meaningless if the user can tell the local time at the destination *only* when the user has arrived at the destination. The examiner disagrees with this line of reasoning by the applicant. DeLorme does not limit their invention for the user to view the time at the destination only when the user has arrived at the destination. Infact, nothing in DeLorme suggest or disclose the word "only". In addition, when a user leaves from one time

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zone to another time zone, it would advantageous for the user to synchronize his or her clock to the local time of that destination. Thus there is an advantage of displaying the local time of a destination when a user gets to that destination.

The applicant further argues that the examiner is confused with “estimated time of arrival” and “estimated travel time”. In response, the examiner is not confused at all. It is noted that both times are correlated. An estimated travel time provides the length of time when traveling takes place. But the length of time must be measured from a particular time or hour or minute, etc. Therefore, since the prior art discloses ETA an estimated time of travel, it gives the length of time of travel such that when a user is to travel from at 1pm to a destination that is 2hrs, the prior art discloses that the arrival time will be at 3pm for example local time or GMT time or day light savings time. The prior art teaches how theses times are converted from one to the other. The analogy holds the same for estimated time until arrival. Figs. 1A4 from “a” through “f” speak for themselves. Therefore, the prior art reads on the claims.

The applicant has erred in the interpretation of DeLorme. *It is further noted that the applicant failed to consider the fact that the local time at a current location is the same as the time of the destination given that the destination and the current location are under the same daylight savings time. As another example, DeLorme (col. 18) disclose Daylight saving time at a current location and also disclose standard time or GMT (Greenwich time) which is a time of a different location or destination. That is if a user is at a current location, a tap on the DST option displays the daylight saving time for that location. It is further noted in addition that a second line on the display discloses Greenwich time, the time at the a different location or the Greenwich meridian if a user is flying or traveling to that different location or destination.*

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Therefore as pointed out above, DeLorme disclose a time at a current location and a time at a destination of travel, wherein the destination is away from the current location. Delorme further disclose GPS time, standard time, and daylight savings time where appropriate.

Therefore, the prior art anticipates the claims.

The rejections are believed to be proper and stand.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Communication

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronnie Mancho whose telephone number is 571-272-6984. The examiner can normally be reached on Mon-Thurs: 9-5.

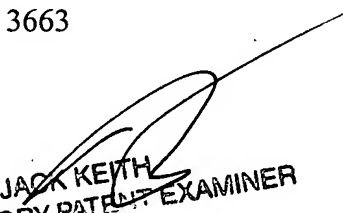
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ronnie Mancho
Examiner
Art Unit 3663

4/16/07


JACK KEITH
SUPERVISORY PATENT EXAMINER